

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re: CHRISTIAN, WILLIAM RUSSELL

DEBTOR.

PRECONFIRMATION MODIFIED

CHAPTER 13 PLAN

Case No. 04-34079

Dated: 9/2/04

In a joint case,
debtor means debtors in this plan.

1. PAYMENTS BY DEBTOR –

- a. As of the date of this plan, the debtor has paid the trustee \$ 0.00.
- b. After the date of this plan, the debtor will pay the trustee \$ 550.00 per Month for 47.33** months, beginning within 30 days after the filing of this plan for a total of \$ 26,032.68.
- **OR LONGER IF NECESSARY TO PAY ALLOWED CLAIMS IN FULL, BUT NOT TO EXCEED \$33,000.00 OR 60 MONTHS**
- c. The debtor will also pay the trustee N/A.
- d. The debtor will pay the trustee a total of \$ 33,000.00 [line 1(a) + line 1(b) + line 1(c)].

2. PAYMENTS BY TRUSTEE – The trustee will make payments only to creditors for which proofs of claim have been filed, make payments monthly as available, and collect the trustee's percentage fee of 10% for a total of \$ 2,366.60 [line 1(d) x .10] or such lesser percentage as may be fixed by the Attorney General. For purposes of this plan, month one (1) is the month following the month in which the debtor makes the debtor's first payment. Unless ordered otherwise, the trustee will not make any payments until the plan is confirmed. Payments will accumulate and be paid following confirmation.

3. PRIORITY CLAIMS – The trustee shall pay in full all claims entitled to priority under § 507, including the following. The amounts listed are estimates only. The trustee will pay the amounts actually allowed. Property tax claims shall be paid in full per the claim whether filed as secured or as a general claim.

Creditor	Estimated Claim	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. Attorney Fees	\$ <u>1,250.00</u>	\$ <u>505.00</u>	<u>1</u>	<u>3</u>	\$ <u>1,250.00</u>
b. Internal Revenue Serv.	\$ <u>2,239.26</u>	\$ <u>139.00</u>	<u>24</u>	<u>17</u>	\$ <u>2,239.26</u>
c. Minn. Dept of Revenue	\$ <u>5,859.00</u>	\$ <u>364.00</u>	<u>24</u>	<u>17</u>	\$ <u>5,859.00</u>
d. TOTAL					\$ <u>9,348.26</u>

4. LONG-TERM SECURED CLAIMS NOT IN DEFAULT – The following creditors have secured claims. Payments are current and the debtor will continue to make all payments which come due after the date the petition was filed directly to the creditors. The creditors will retain their liens.

a. OPTION ONE FIRST MORTGAGE

b. _____

4. 5 HOME MORTGAGES IN DEFAULT [§ 1322(b)(5)] – The trustee will cure defaults (plus interest at the rate of 8 per cent per annum) on claims secured only by a security interest in real property that is the debtor's principal residence as follows. The debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default. Claims in this class may be classified separately.

Creditor	Amount of Default	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. _____	\$ _____	\$ _____	_____	_____	\$ _____
b. _____	\$ _____	\$ _____	_____	_____	\$ _____
c. _____	\$ _____	\$ _____	_____	_____	\$ _____
d. TOTAL					\$ _____

6. OTHER LONG-TERM SECURED CLAIMS IN DEFAULT [§ 1322 (b)(5)] – The trustee will cure defaults (plus interest at the rate of 8 per cent per annum) on other claims as follows and the debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

Creditor	Amount of Default	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. _____	\$ _____	\$ _____	_____	_____	\$ _____
b. _____	\$ _____	\$ _____	_____	_____	\$ _____
c. _____	\$ _____	\$ _____	_____	_____	\$ _____
d. TOTAL					\$ _____

7. OTHER SECURED CLAIMS [§ 1325(a)(5)] – The trustee will make payments to the following secured creditors having a value as of confirmation equal to the allowed amount of the creditor's secured claim using a discount rate of 8 percent. The creditor's allowed secured claim shall be the creditor's allowed claim or the value of the creditor's interest in the debtor's property, whichever is less. The creditors shall retain their liens. NOTE: NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. § 1327 AND CONFIRMATION OF THE PLAN WILL BE CONSIDERED A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM UNDER 11 U.S.C. § 506(a).

Creditor	Claim Amount	Secured Claim	Monthly Payment	Beginning in Month	Number of Payments	TOTAL PAYMENTS
a. IRS	\$8,929.48	\$8,929.48 @ 5% <u>% Int.</u>	\$495.68	4	19	\$9,417.98
b. _____	\$ _____	\$ _____ <u>% Int.</u>	\$ _____	_____	_____	\$ _____
c. _____	\$ _____	\$ _____ <u>% Int.</u>	\$ _____	_____	_____	\$ _____
d. TOTAL	*OR CLAIM AS FILED					\$9,417.98*

8. SEPARATE CLASS OF UNSECURED CREDITORS – In addition to the class of unsecured creditors specified in ¶ 9, there shall be a separate class of nonpriority unsecured creditors described as follows: _____.

- The debtor estimates that the total claims in this class are \$_____.
- The trustee will pay this class \$_____.

9. TIMELY FILED UNSECURED CREDITORS – The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under ¶ 2, 3, 5, 6, 7 and 8 their pro rata share of approximately \$ 11,867.22 [line 1(d) minus lines 2, 3(e), 5(d), 6(d), 7(d) and 8(b)].

- The debtor estimates that the total unsecured claims held by creditors listed in ¶ 7 are \$_____.
- The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 7 and ¶ 8) are \$ 4,899.90**. ****INCLUDES \$1,899.90 IRS**
- Total estimated unsecured claims are \$ 4,899.80 [line 9(a) + line 9(b)].

10. TARDILY-FILED UNSECURED CREDITORS – All money paid by the debtor to the trustee under ¶ 1, but not distributed by the trustee under ¶ 2, 3, 5, 6, 7, 8 or 9 shall be paid to holders of nonpriority unsecured claims for which proofs of claim were tardily filed.

11. OTHER PROVISIONS – Any excess funds shall be distributed at the Trustee's discretion. If debtor has an ongoing child support obligation, the debtor hereby consents to a continuing deduction from wages for current child support.

* DEBTOR(S) WILL FILE AS AND WHEN DUE ANY AND ALL POST PETITION FEDERAL TAX RETURNS OF ANY KIND; AND WILL TIMELY PAY AS AND WHEN DUE ANY AND ALL POST PETITION FEDERAL TAX LIABILITIES.
FAILURE OF DEBTOR(S) TO FILE OR PAY WILL CONSTITUTE GROUNDS FOR DISMISSAL.

12. SUMMARY OF PAYMENTS –

Trustee's Fee [Line 2]	\$ 2,366.60
Priority Claims [Line 3(e)]	\$ 9,348.26
Home Mortgage Defaults [Line 5(d)]	\$ _____
Long-Term Debt Defaults [Line 6(d)]	\$ _____
Other Secured Claims [Line 7(d)]	\$ 9,417.92
Separate Class [Line 8(b)]	\$ _____
Unsecured Creditors [Line 9(c)]	\$ 11,867.22
TOTAL [must equal Line 1(d)]	\$ 33,000.00

Insert Name, Address, Telephone and License Number of Debtor's Attorney:

CRAIG COOK
1821 UNIVERSITY AVE #217 S
SAINT PAUL, MN 55104
651-644-1110

1865X

/E/WILLIAM RUSSELL CHRISTIAN

Signed _____
DEBTOR, WILLIAM RUSSELL CHRISTIAN

Signed _____
DEBTOR,

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re: **WILLIAM RUSSELL CHRISTIAN**

**NOTICE OF
PRECONFIRMATION
MODIFICATION AND HEARING
ON
CHAPTER 13 PLAN**

Debtor(s)

Case No. 04-34079

To: Jasmine Z Keller, Trustee, and other entities specified in Local Rule 303(d)(1).

1. WILLIAM RUSSELL CHRISTIAN, Debtor(s) in the above case by their undersigned attorney, gives notice of hearing.
2. The Court will hold a hearing on Confirmation at 10:30 a.m. on September 23, 2004 in front of the Honorable GREGORY F. KISHEL, U.S. Courthouse, Room 228B, 316 North Robert, St Paul, Minnesota 55101
3. Debtor's sole purpose for modifying Plan is to more accurately reflect the tax claims and payment of those claims.

Date: 9/2/04

/s/Craig Cook
Craig Cook
Attorney at Law 1865X
1821 University Avenue Ste S-217
Saint Paul, Minnesota 55104
651-644-1110

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re: WILLIAM RUSSELL CHRISTIAN

SIGNATURE DECLARATION

Debtor(s).

Case No. 04-34079

- ☐ PETITION, SCHEDULES & STATEMENTS
☐ CHAPTER 13 PLAN
☐ SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION
☐ AMENDMENT TO PETITION, SCHEDULES & STATEMENTS
☒ MODIFIED CHAPTER 13 PLAN
☐ OTHER (Please describe: _____)

I [We], the undersigned debtor(s) or authorized representative of the debtor, *make the following declarations under penalty of perjury:*

- The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- [individual debtors only] If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- [corporate and partnership debtors only] I have been authorized to file this petition on behalf of the debtor.

Date: 9-2-04

X William R Christian
Signature of Debtor or Authorized Representative

WILLIAM RUSSELL CHRISTIAN

Printed Name of Debtor or Authorized Representative

X _____
Signature of Joint Debtor

Printed Name of Joint Debtor

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re: CHRISTIAN, WILLIAM RUSSEL

UNSWORN DECLARATION
OF PROOF OF SERVICE

Debtor(s).

Chapter 13 Case No 04-34079

Susan Steging, employed by Craig Cook, Attorney at Law, with office address of 1821 University Avenue, Suite South 217, Saint Paul, Minnesota, 55104, declares that I served a copy of the attached:

NOTICE OF PRECONFIRMATION MODIFICATION AND HEARING ON CHAPTER 13 PLAN and PRECONFIRMATION MODIFIED CHAPTER 13 PLAN,

upon each of the entities named, by mailing to each of them a copy thereof, by enclosing same in an envelope with first-class postage prepaid and depositing same in the post office at Saint Paul, Minnesota, addressed to:

Jasmine Z Keller
Chapter 13 Trustee
12 South Sixth Street
310 Plymouth Building
Minneapolis, MN 55402

Office of the US Trustee
1015 United States Courthouse
300 South Fourth Street
Minneapolis, MN 55415

INTERNAL REVENUE SVC
ATTN STOP 5700
316 N ROBERT
SAINT PAUL MN 55101

MINNESOTA DEPT REVENUE
551 BKY SECTION
PO BOX 64447
SAINT PAUL MN 55164

MN DEPT REV C/O AMAN COLLEGE
PO BOX 231
ABERDEEN SD 57402-0231

OLLIE CHRISTIAN
1007 CENTRAL
SAINT PAUL MN 55104

OPTION ONE
PO BOX 92103
LOS ANGELES CA 90009

RAMSEY COUNTY
SUPPORT & COLLECT
50 KELLOGG BLVD #415
SAINT PAUL MN 55102

and I declare, under penalty of perjury, that the foregoing is true and correct.

Date: 9/8/04

Signed: /s/Susan Steging
Susan Steging